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Attorney for Juan Carlos Sequeira

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
Plaintiff,
v.
JUAN CARLOS SEQUEIRA,
Defendant.

Case No. 2:18-mj-492-PAL

**STIPULATION TO CONTINUE
BENCH TRIAL**

(Second Request)

IT IS HEREBY STIPULATED AND AGREED, by and between Dayle Elieson, United States Attorney, and Allison Reese, Assistant United States Attorney, counsel for the United States of America, and Rene L. Valladares, Federal Public Defender, and Monique Kirtley, Assistant Federal Public Defender, counsel for Juan Carlos Sequeira, that the bench trial currently scheduled on October 17, 2018, at the hour of 8:45 a.m., be vacated and set to a date and time convenient to this Court, but no sooner than thirty (30) days.

This Stipulation is entered into for the following reasons:

1. Undersigned counsel will be out of the jurisdiction during the currently scheduled hearing date.

2. The defendant is not in custody and does not oppose a continuance.

1 3. Additionally, denial of this request for continuance could result in a miscarriage
2 of justice. The additional time requested by this Stipulation is excludable in computing the time
3 within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United
4 States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code
5 §§ 3161(h)(7)(B) and 3161(h)(7)(B)(iv).

6 This is the second request for a continuance of the bench trial.

7 DATED this 3rd day of October, 2018.

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9 RENE L. VALLADARES
10 Federal Public Defender

DAYLE ELIESON
United States Attorney

11 */s/ Monique Kirtley*
12 By _____
13 MONIQUE KIRTLEY
Assistant Federal Public Defender

14 */s/ Allison Reese*
15 By _____
16 ALLISON REESE
17 Assistant United States Attorney

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

V.

JUAN CARLOS SEQUEIRA,

Defendant.

Case No. 2:18-mj-492-PAL

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Undersigned counsel will be out of the jurisdiction during the currently scheduled hearing date.

2. The defendant is not in custody and does not oppose a continuance.

3. Additionally, denial of this request for continuance could result in a miscarriage of justice. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code §§ 3161(h)(7)(B) and 3161(h)(7)(B)(iv).

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.

The continuance sought herein is excludable under the Speedy Trial Act, title 18, United States Code, Section 3161(h)(7)(A), when considering the facts under Title 18, United States Code, §§ 316(h)(7)(B) and 3161(h)(7)(B)(iv).

ORDER

IT IS THEREFORE ORDERED that the bench trial currently scheduled on Wednesday, October 17, 2018 at 8:45 a.m., be vacated and continued to November 21, 2018, at 8:45 a.m.

DATED this 11th day of October, 2018.

UNITED STATES MAGISTRATE JUDGE